

**IN THE UNITED STATES BANKRUPTCY COURT FOR  
THE EASTERN DISTRICT OF TENNESSEE**

**IN RE**

**CHAPTER 13 PRE-CONFIRMATION  
ADEQUATE PROTECTION PAYMENTS**

No. 05-07

**GENERAL ORDER**

It is hereby ORDERED, effective as to all Chapter 13 cases filed on or after October 17, 2005, as follows:

- (1) Payments of personal property leases governed by 11 U.S.C. § 1326(a)(1)(B) shall only be made directly by the debtor to the lessor if the debtor's plan so provides or if no plan provision addresses payment of the debtor's lease obligation. If the plan provides for payment of the lease obligation by the trustee, the debtor shall make the payment as part of the total payment to the trustee, and the trustee shall pay the lessor to the extent required by 11 U.S.C. § 1326(a)(1)(B).
- (2) Pre-confirmation adequate protection payments governed by 11 U.S.C. § 1326(a)(1)(C) shall only be made directly by the debtor to the secured creditor if the debtor's plan so provides or if no plan provision addresses payment of the secured claim. If the plan provides for payment of the secured claim by the trustee, the debtor shall make the payment as part of the total payment to the trustee, and the trustee shall pay the amount provided by the plan to the secured creditor to the extent required by 11 U.S.C. § 1326(a)(1)(C).

/s/ John C. Cook

JOHN C. COOK

Chief United States Bankruptcy Judge

/s/ Richard Stair, Jr.

RICHARD STAIR JR.

United States Bankruptcy Judge

/s/ Marcia Phillips Parsons

MARCIA PHILLIPS PARSONS

United States Bankruptcy Judge

/s/ R. Thomas Stinnett

R. THOMAS STINNETT

United States Bankruptcy Judge

